



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/624,337	07/24/2000	Hiroshi Ikeda	1341,1954 (JDH)	6307

21171 7590 06/14/2005

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

VU, VIET DUY

ART UNIT	PAPER NUMBER
----------	--------------

2154

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/624,337

Applicant(s)

IKEDA, HIROSHI

Examiner

Viet Vu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 56-80 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 56-60, 62, 68-72 and 76-80 is/are rejected.
- 7) ☒ Claim(s) 61, 63-67 and 73-75 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2154

Art Rejections:

1. The texts of 35 U.S.C. § 102(e) and 103(a) cited in the previous office action are hereby incorporated by reference.

2. The rejection of claim 80 under 35 U.S.C. § 102(e) as being clearly anticipated by Goss, U.S. pat. no. 6,687,241, mailed 7/6/04, is hereby incorporated by reference.

3. Claims 56-60, 62, 68-72 and 76-79 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Neilsen, U.S. pat. No. 6,055,570.

Per claims 56-57, Neilsen discloses a content update monitoring service comprising:

a) a plurality of information providers, each provided with an update manager for detecting changes at the information provider (see col 6, lines 6-10),

b) an update monitor agent configured to receive the update information relating to content changes from the information provider and to transmit update information to subscribers who registered/subscribed to receive the update information from the agent (see col 6, lines 61-67),

c) a user terminal configured to receive update information from the agent (see col 7, lines 20-30).

Nielsen does not explicitly teach downloading updated content to the user terminal.

It would have been obvious to one of ordinary skill in the art at the time of the invention to realize such content receiving/downloading from the content server to the user terminal in Nielsen because it would have enabled the user to view the complete content update as opposed to a summary or abstract of content changes (see col 9, lines 45-47).

Per claims 58-60 and 62, Neilsen teaches allowing the user terminal connect to the network via a service provider and that the update agent can be implemented at the user terminal (see col 2, lines 28-38).

Per claims 68-69, it is well known in the art that the service provider would be used as a proxy server to provide contents to the user.

Claims 70-72, 76 and 78-79 are similar in scope as that of claims 56-60, 62 and 68-69.

Per claim 77, it is further noted that web contents are conventionally stored and accessed via a hierarchical orders, i.e., hyperlinks.

Art Unit: 2154

Allowable Subject Matter:

4. Claims 61, 63-67 and 73-75 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Amendment:

5. Applicant's arguments filed on 11/8/2004 with respect to claims 56-60, 62, 68-72 and 76-79 are moot in view of new ground of rejection set forth above.

Per claim 80, applicant alleges that Goss does not teach registering by the user to the intermediate agent for different types of information of interest.

The examiner disagrees. Goss teaches providing an intermediate agent, e.g., enterprise contact server 100, for enabling a user at a terminal to register or request for a http session (see Goss in col 8, lines 11-35 and col 13, line 65-col 8, line 13). The registration or request comprises different types of information of interest such as contact methods including but not limited to voice communications, email communications, IP telephony, etc., (see Goss in col 15, lines 57-67).

Art Unit: 2154

Applicant also asserts that the next office action containing new ground of rejection should be non-final.

The examiner disagrees. Since the amendment filed 11/8/04 has substantially changed the scope of some claims, the final rejection with a new ground of rejection on those claims is deemed proper.

Conclusion:

6. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Thursday from 8:00am to 4:00pm.

Art Unit: 2154

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee, can be reached on 571-272-3964.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



VIET D. VU
PRIMARY EXAMINER

Art Unit 2154
6/9/05